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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/179,945	10/27/1998	JOHN Q. ADAMS		6273

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EXAMINER

PARADISO, JOHN ROGER

ART UNIT

PAPER NUMBER

3721

DATE MAILED: 09/20/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/179,945	ADAMS ET AL. <i>cr</i>
	Examiner John R. Paradiso	Art Unit 3721

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 2/14/2002.

2a) This action is **FINAL**.      2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1 and 3-21 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1 and 3-21 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. §§ 119 and 120

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) All    b) Some \*    c) None of:

        1. Certified copies of the priority documents have been received.

        2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

        3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    \* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

#### Attachment(s)

1) Notice of References Cited (PTO-892)      4) Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_ .

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)      5) Notice of Informal Patent Application (PTO-152)

3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ .      6) Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Claim Rejections***

1. The text of those sections of Title 35, U.S. Code not included in this Action can be found in a prior Office Action.
2. Claims 1-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over BIRENBAUM ET AL in view of RICHARDSON (US 4,747,600).

BIRENBAUM ET AL discloses a programmable apparatus for aiding a player in a game of bingo. The apparatus comprises a processor (26) with port connections for various I/O, memory, and power functions. The processor receives instructions from an input device comprising input keys (18) that allow the user to enter data associated with the game. The processor also receives information from a memory module (14) which contains the configurations and serial numbers of a large set of bingo cards (both regular and paper cards) as well as the possible winning configurations. The processor sends data to an output device in the form of a display (16) that so that game information can be read by the user. (See BIRENBAUM ET AL columns 1-4 and figures 1 and 3.)

BIRENBAUM ET AL does not disclose the use of a security feature to prevent unauthorized access to stored data, the use of rechargeable batteries with a recharging circuit, the specific voltages used to power the apparatus, the specific winning combinations, or the storage of specific card schedules. BIRENBAUM ET AL also does not disclose using the apparatus to communicate with other similar apparatus' with a communications protocol or keeping an account of cash which is debited for games and credited for wins.

RICHARDSON discloses a programmable apparatus for aiding a player in a game of bingo in which a base unit processor (10) communicates with a remote player apparatus processor (12) through a communication port (24). The base unit processor also communicates with validation unit processors (14) which in turn use cables (30) to communicate with the player apparatus processors. The validation unit processors also send credit information to the player apparatus processor upon verification of a win. (See RICHARDSON columns 3-7 and figure 1.)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of BIRENBAUM ET AL to use a communication protocol to connect to another processor, as taught by RICHARDSON, to enable the validation and payout upon fulfilling a winning combination.

It would also have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of BIRENBAUM ET AL to provide a cash account which could be debited for games and credit for validated wins, as taught by RICHARDSON.

Regarding claim 2, Applicant is given Official Notice that the use of passwords and passcodes is well known in the art to secure any form of data stored on a computer and it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of BIRENBAUM ET AL to connect a security feature to the processor to prevent unauthorized access to the stored information of the apparatus.

Regarding claim 7, Applicant is given Official Notice that the use of rechargeable batteries is well known in the art to provide power to handheld electronic devices and it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of BIRENBAUM ET AL to use rechargeable batteries that can be recharged by an external power source. Note that BIRENBAUM ET AL does specifically disclose the possibility of connecting the apparatus to an external power source.

Regarding claim 8, the use of low voltage direct current to power electronic equipment is well known in the art. Further, the use of specific voltages to power specific components depending upon their makeup and operational needs is also well known. The availability of -17Vdc, +5Vdc, and +12Vdc from the power supply to power the electronic components of the apparatus is an obvious matter of engineering design choice, since Applicant has not disclosed that the use of these particular voltages (which are common voltage requirements for many electronic components) solves any stated problem or is for any particular purpose and it appears that the invention would perform equally well with any voltages that would meet the needs of the electronic components used in the apparatus.

Regarding claim 12, BIRENBAUM ET AL discloses the storage of common bingo win patterns in the memory. While BIRENBAUM ET AL does not specifically disclose which patterns these are, the winning combinations of X shape, picture frame, fill-up, U-shape, and C-shape are well known to those skilled in the art (as well as to all bingo players) and it would have been obvious to one of ordinary skill in the art at the time the invention was made to program the memory to know these winning combinations.

Regarding claim 16, BIRENBAUM ET AL specifically discloses that the processor receives information from a memory module which contains the configurations and serial numbers of a large set of bingo cards. While the specifics of type, brand, cut, and collation are not disclosed, the use of electronic memory to store collations of this sort is well known in the art (storing collatable databases is, in fact, one of the primary purposes of computers) and it would have been obvious to one of ordinary skill in the art at the time the invention was made to store in the memory module of BIRENBAUM ET AL a set of bingo cards cross-references by serial number, type, brand, cut, and collation in order to enable the game master to use the specific type of card for which they are licensed or simply used to.

*Response to Arguments*

3. Applicant's arguments filed 2/14/2002 have been fully considered but they are not persuasive.

4. Applicant states on page 6 of his Response that "Claim 1 is amended to include the limitations of claim 2 (now canceled), which the Examiner admits is not anticipated under 102(b) or unpatentable under 103(a) based on Birenbaum et al. Therefore, amended claim 1 is allowable over Birenbaum et al.

However, the new grounds of rejection makes this point moot.

5. Applicant states on page 6 of his Response that "As the Examiner admits in ¶6 of the Office Action, Birenbaum et al. 'does not disclose using the apparatus to communicate with other similar apparatus' with a communications protocol...'. Therefore, amended claim 13 is allowable over Birenbaum et al."

However, the communication feature is taught by RICHARDSON and the combination of BIRENBAUM ET AL and RICHARDSON is explained in detail above.

6. Applicant states on page 7 of his Response that "Richardson fails to disclose, teach or suggest that the programmable apparatus be 'portable'... Therefore, amended claim 1 is allowable over Birenbaum et al in view of Richardson..."

However, BIRENBAUM ET AL does indeed disclose a portable apparatus. Richardson is used to teach modifying the invention of BIRENBAUM ET AL to use a communication protocol to connect to another processor, as taught by RICHARDSON, to enable the validation and payout upon fulfilling a winning combination.

***Conclusion***

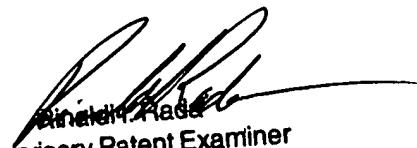
7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Paradiso. The examiner can normally be reached Monday-Friday, 1:00 p.m. – 9:00 p.m. (ET).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rinaldi Rada, can be reached at the number listed below.

Any inquiry of a general nature or relating to the status of this application should be directed to the 3700 Technology Center receptionist.



Rinaldi Rada  
Supervisory Patent Examiner  
Group 3700



Examiner John Paradiso (703) 308-2825  
Fax (Direct to Examiner): (703) 746-3253  
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September 17, 2002